

Interview Summary	Application No.	Applicant(s)	
	09/693,647	LAPSTUN ET AL.	
	Examiner Namitha Pillai	Art Unit 2173	

All participants (applicant, applicant's representative, PTO personnel):

(1) Namitha Pillai. (3) _____.

(2) Pascale Hair. (4) _____.

Date of Interview: 02 March 2006.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative] d) Internet

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

RB

Claim(s) discussed: 25.

Identification of prior art discussed: None.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: As a result of the Applicants being located abroad in Australia, an email communication was relied upon to come to an agreement for authorization of Examiner's amendments needed to allow the application. A copy of the email communication has been attached, with the Applicant authorizing the Examiner's amendment along with authorization for communication of application related matter by electronic mail.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Pillai, Namitha

From: Pascale Hair [pascale.hair@silverbrookresearch.com]
Sent: Thursday, March 02, 2006 6:51 PM
To: Pillai, Namitha
Subject: RE: U.S. Patent Office concerning Application 09/693,647]

Dear Examiner Pillai,

You are authorized to make the following amendments:

1. Please cancel claim 25
2. At Pages 10 and 11 of the specification, under "Brief Description of the Drawings", please renumber Figures 15 to 31 to read Figures 14 to 30.

The Applicants submit that these amendment introduce no new matter.

Yours sincerely,

Pascale Hair
Patent Assistant
For Kia Silverbrook
Silverbrook Research Pty Ltd

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file.

From: Pillai, Namitha [mailto:Namitha.Pillai@USPTO.GOV]
Sent: Friday, 3 March 2006 10:39 AM
To: Pascale Hair
Subject: RE: U.S. Patent Office concerning Application 09/693,647]

An email submission cannot be entered officially in the case. For faster processing, it is suggested that the Applicant authorize the Examiner to make the amendments through an Examiner's amendment.

From: Pascale Hair [mailto:pascale.hair@silverbrookresearch.com]
Sent: Thursday, March 02, 2006 6:15 PM
To: Pillai, Namitha
Subject: RE: U.S. Patent Office concerning Application 09/693,647]

Dear Examiner Pillai,

Please find enclosed our reply including required amendments.

This reply is also being sent to your direct facsimile number.

Thank you kindly,

Yours sincerely,

Pascale Hair
Patent Assistant
For Kia Silverbrook
Silverbrook Research Pty Ltd

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file.

From: Pillai, Namitha [mailto:Namitha.Pillai@USPTO.GOV]
Sent: Friday, 3 March 2006 9:00 AM
To: Pascale Hair
Subject: RE: U.S. Patent Office concerning Application 09/693,647]

The following are suggestions for corrections to be made to Application 09/693, 647. Addressing and correcting of these minor errors would result in allowance of this application. Claim 25 is currently depending on claim 24, which is a cancelled claim. Proper correction must be made so that claim 25 depends on a valid claim. In the specification under the section "BRIEF DESCRIPTION OF DRAWINGS", a brief description of Figure 14 is missing. Please respond to these suggestions for corrections to allow the Application 09/693,647. Examiner Pillai can be contacted via telephone until 8:30 pm EST on Thursday, March 2, 2006. The telephone number is (571) 272-4054. A response can also be submitted to Examiner's right fax number at (571) 273-4054. A response can also be relayed via a response email.

Namitha Pillai
Patent Examiner
U.S. Patent Office
March 2, 2006.

-----Original Message-----

From: Pascale Hair [mailto:pascale.hair@silverbrookresearch.com]
Sent: Wednesday, March 01, 2006 7:39 PM
To: Pillai, Namitha
Subject: FW: U.S. Patent Office concerning Application 09/693,647]

Dear Examiner Pillai,

Unfortunately, due to the time difference between USA and Australia, it is extremely difficult for the inventor to return your call.

We would be grateful if you could let us know via return email, or via facsimile (+ 61.2.9555.7762), what are exactly the corrections you would like done and the inventor will reply on an urgent basis.

Yours sincerely,

Pascale Hair
Patent Assistant
For Kia Silverbrook
Silverbrook Research Pty Ltd

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file.

----- Original Message -----

Subject: U.S. Patent Office concerning Application 09/693,647
Date: Wed, 1 Mar 2006 18:04:10 -0500
From: Pillai, Namitha <Namitha.Pillai@USPTO.GOV>
To: kia.silverbrook@silverbrookresearch.com

I am the current Examiner working on Application number 09/693647. I would like to discuss some elements of this application for possible allowance. I have been unable to contact you through the telephone number provided. Please call my office at (571) 272-4054 as soon as possible to discuss some minor corrections that can be made to allow the case.

Namitha Pillai.

Namitha Pillai
Patent Examiner
Art Unit 2173 - Operator Interface
Randolph 3D54
Phone: (571) 272-4054